

Agenda No.: 4
Public Hearing: Comprehensive Zoning Ordinance Amendment ZA08-0005
Applicant(s): City of Frisco

DESCRIPTION:

A request to amend Article IV, Section 9.12 (A) of the Comprehensive Zoning Ordinance regarding the definition of Automotive Uses.

HISTORY:

December 16, 2008. City Council approved a call for public hearing to amend the Comprehensive Zoning Ordinance (CZO) to amend the definition of Automotive Uses.

REMARKS:

Article IV, Section 9.12 provides for separation from residential development and automotive uses including such uses as:

- Sales;
- Leasing;
- Renting;
- Repairing;
- Servicing; or
- Washing of automobiles and other motor vehicles.

The intent of this section is to minimize the impact that these automotive uses would have on adjacent residential neighborhoods. Adverse impacts would include noise from engines, loud speakers, radios, fuel pump speakers, and vehicle passengers. It would also include fumes such as engine exhaust and fuel spills.

What the section does not address is convenience stores with fuel pumps or simple fueling stations such as can be found at grocery stores or other big box retail businesses. This was the original intent of the amendment but the approved ordinance clearly did not address this situation.

The definition does not include the fueling of automobiles and other vehicles as an automotive use and this action is not covered under those uses that are listed. This issue was recently discovered while addressing a situation that would place a convenience store with fuel pumps in close proximity to a residential neighborhood.

This issue can be resolved with the addition of fueling under the definition of automotive use. This will continue the intent of the section and provide a buffer between residential neighborhoods and convenience stores with fuel pumps or fueling stations.

RECOMMENDATION:

Recommended for approval as submitted. Underlines indicate the addition of text; ~~strikethroughs~~ indicate the deletion of text.

ARTICLE IV – SITE DEVELOPMENT REQUIREMENTS
SECTION 9 – SPECIAL AND ADDITIONAL SUPPLEMENTARY REGULATIONS

9.12 ADJACENCY OF CERTAIN USES TO RESIDENTIAL ZONING

(A) All buildings, gasoline pump islands, vacuums, outdoor speakers, gasoline or fuel storage tanks, air and water dispensers, and other structures in conjunction with any automotive use shall be located a minimum of two hundred fifty (250) feet from any residential zoning district. No service bay shall face a residential zoning district. An automotive use shall be defined as the:

- Sales;
- Leasing;
- Renting;
- Servicing;
- Repairing;
- Fueling; or
- Washing of automobiles, motorcycles, trucks, or any other motor vehicle.